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July 10, 2025

By ECFHon. Claire C. Cecchi, U.S.D.J.
United States District Court
for the District of New Jersey
50 Walnut Street
Newark, New Jersey 07102Re: *Industria de Alimentos Zenú S.A.S. v. Latinfood U.S. Corp. d/b/a Zenú Prods. Co.,
et al.*, Civil Action No. 2:16-cv-6576-CCC-MAH

Dear Judge Cecchi:

We represent Plaintiff Industria de Alimentos Zenu S.A.S. (“Industria” or “Plaintiff”) in the above captioned action against Latinfood U.S. Corp. and Wilson Zuluaga (together, “Latinfood” or “Defendants”). We write to request a conference, in person or by video, to discuss the motions pending before the Court as set forth in Plaintiffs’ letter to the Court dated March 3, 2025, Dkt. No. 376.

As we stated in that letter, Defendants Latinfood and Wilson Zuluaga continue to sell millions of dollars of products which infringe on Plaintiff’s ZENU and RANCHERA trademarks despite Judge McNulty’s summary judgment decision finding that Latinfood’s ZENU mark was cancelled based on Defendants’ source misrepresentation to the Patent and Trademark Office.

In addition, Judge McNulty issued an injunction against Latinfood’s use of the ZENU and RANCHERA trademarks, but he stayed his injunction order until Plaintiff filed with the Court certified copies of its Colombian trademark registrations. Plaintiff filed the requested trademark registrations on August 10, 2023 (nearly two years ago), Dkt. No. 316, and Defendants filed their opposition on August 24, 2023. Dkt. No. 319. However, Judge McNulty took Senior Status before lifting the stay. Judge McNulty had also ruled that the stay would remain in effect until a decision was rendered on Defendants’ motion to reargue Judge McNulty’s summary judgment ruling that Defendants engaged in source misrepresentation when it filed its application for the ZENU trademark in 2013. However, Judge McNulty left this motion undecided when he took Senior Status.

In the year and a half since this case was reassigned to Your Honor, Defendants have continued to sell millions of dollars of infringing products and have even filed a lawsuit against a third party in the District of New Jersey in which Latinfood misrepresented that it was the owner of the ZENU trademark with no mention of Judge McNulty’s rulings. As a result, Plaintiff is being irreparably harmed, and will continue to be harmed, until the stay of Judge McNulty’s injunction order is lifted.

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If it would assist the Court in making a determination on these issues, we ask that the Court hold a live or video conference at which the parties could answer any questions the Court might have in hopes of expediting decisions on these long-pending motions and applications.

We thank the Court for its consideration of these matters.

Respectfully Submitted,

/s/Peter D. Raymond

Peter D. Raymond

Cc: all counsel via ECF